

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DAKAVIA MANAGEMENT CORP. et al.,

Case No. 1:20-cv-00448-JLT-SKO

Plaintiffs,

**ORDER DENYING WITHOUT
PREJUDICE FIRST AMENDED
STIPULATION AND PROTECTIVE
ORDER**

v.

BRANDON BIGELOW, et al.,

(Doc. 119)

Defendants.

_____/

I. INTRODUCTION

On October 11, 2022, after their initial Stipulated Protective Order was denied without prejudice for failure to comply with Local Rule 141.1, the parties filed a second request seeking Court approval of their proposed First Amended Stipulation and Protective Order. (Doc. 119.) The Court has reviewed this proposed stipulated protective order and has determined that, in its current form, it again fails to comply with the Local Rules and cannot be granted. For the reasons set forth below, the Court DENIES *without prejudice* the parties' request to approve the stipulation and protective order.

A. The Protective Order Does Not Comply with Local Rule 141.1(c)

As with the parties' initial proposed protective order, this proposed protective order does not comply with Rule 141.1(c)(1) of the Local Rules of the United States District Court, Eastern District of California. Local Rule 141.1(c)(1) requires “[a] description of the types of information eligible for protection under the order, with the description provided in general terms sufficient to reveal the nature of the information.” (emphasis added.)

The First Amended Stipulation and Protective Order, in its current form, still does not comply with this requirement. It seeks to cover

1 [A]ny information which is in the possession of a Designating Party who believes
2 in good faith that such information is entitled to confidential treatment under
3 applicable law. This material includes confidential, proprietary and private
4 financial and personal information relating to the parties ***including but not limited***
to business accounts, trade secrets, balance sheets, accounting, loan information
and related correspondence, and personal identifiable information.

5 (Doc. 119 at 3, emphasis added.) With its inclusion of the phrase “including but not limited to,” the
6 proposed protective order fails to comply with Local Rule 141.1(c)(1), which requires “[a]
7 description of the types of information eligible for protection under the order, with the description
8 provided in general terms sufficient to reveal the nature of the information.” Without any additional
9 qualification to the phrase “including but not limited to” or the removal thereof, the proposed
10 protective order does not sufficiently identify the types of information eligible for protection.

11 **B. The Parties’ Stipulated Protective Order is Denied Without Prejudice**

12 The parties may re-file a revised proposed stipulated protective order that complies with
13 Local Rule 141.1(c)(1) and corrects the deficiency set forth in this order.

14 **III. CONCLUSION AND ORDER**

15 Based on the foregoing, IT IS HEREBY ORDERED that the parties’ request for approval of
16 their proposed First Amended Stipulation and Protective Order (Doc. 119) is DENIED without
17 prejudice to renewing the request.

18 IT IS SO ORDERED.

19 Dated: **October 12, 2022**

20 */s/ Sheila K. Oberto*
21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28